

**REMARKS**

Attached is a copy of the Notice mailed June 18, 2004.

Attached is a copy of the Declaration from the parent application Serial No. 10/044,995 as well as a copy of the originally-executed Declaration filed in the parent application Serial No. 07/920,286, which correctly states the filing dates of the parent application Serial No. 07/920,286 and the PCT application no. PCT/EP91/02409. The filing dates of these applications were inadvertently reversed in the Declaration filed in application Serial No. 10/044,995.

The Office is requested to further explain the Notice Regarding Benefit mailed June 18, 2004, which suggests that benefit to a prior filed non-provisional application is not possible based on an alleged improper intervening provisional application claim. The present application however does not claim benefit of any U.S. provisional application. Clarification is requested in the event anything further is requested to perfect the applicants claim to priority benefit.

Return of an initialed copy of the PTO 1449 Forms filed April 13, 2004, pursuant to MPEP § 609, is requested.

Acknowledgement of receipt by the Patent Office of the certified copies of the priority document in the applicants parent applications is requested.

Acknowledgement of the applicants claim for domestic priority is requested.

The Patent Office Notice of June 18, 2004, indicates that the application contains 1 additional independent claim over 3, 128 total claims over 20 and at least one multiple dependent claim. The Patent Office has therefore calculated the additional clamis fees due as \$2680 (i.e., \$86 + \$2340 + \$290).

DeLeys et al  
Appl. No. 10/822,871  
August 18, 2004

The undersigned respectfully submits however that with the above amendments, the application contains only 133 effective claims, or 113 over 20. The Office is authorized by the attached cover sheet to charge the undersigned's Deposit Account No. 14-1140 for any additional fees required for examination however the Office is requested to provide a written explanation of any such additional charge.

Further formal copies of Figures 1A-1D are attached in response to the attached Notice. The Office is requested to advise the undersigned in the event anything further is required in this regard.

An early and favorable Action on the merits is requested.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_



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